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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CR No. 07-70173-JCS
)	
Plaintiff,)	STIPULATION AND PROPOSED ORDER
)	EXTENDING THE TIME LIMIT FOR THE
v.)	PRELIMINARY HEARING AND
)	EXCLUDING TIME
CHARKON CHANSAEM,)	
)	
Defendant.)	
_____)	

On March 29, 2007, the parties in this case appeared before the Court and stipulated that the Preliminary Hearing should be scheduled for April 20, 2007 and that time should be excluded from the Speedy Trial Act calculations from March 29, 2007 to April 20, 2007 for effective preparation of counsel, in that defense counsel has recently received discovery from the Government; additional discovery was still forthcoming from the Government; the parties are discussing pre-indictment resolution; and defense counsel does not believe it is in his client's best interests for the Court to hold a Preliminary Hearing within 10 days of the Initial Appearance as required by Federal Rule of Criminal Procedure 5.1(c). The parties represented

1 that granting the continuance was necessary for effective preparation of counsel, taking into
2 account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv).

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4 SO STIPULATED:

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6 SCOTT N. SCHOOLS
Interim United States Attorney

7 DATED: April 4, 2007

8 /s/
9 DENISE MARIE BARTON
Assistant United States Attorney

10 DATED: April 4, 2007

11 /s/
12 STEVEN J. KOENINGER
Attorney for CHARKON CHANSAEM

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14 As the Court found on March 29, 2007, and for the reasons stated above, the Court finds
15 good cause, taking into account the public interest in prompt disposition of criminal cases, to
16 extend the time limits for the Preliminary Hearing; that the ends of justice served by the
17 continuance outweigh the best interests of the public and the defendant in a speedy trial; and that
18 time should be excluded from the Speedy Trial Act calculations from March 29, 2007 to April
19 20, 2007 for effective preparation of counsel. See Fed. R. Crim. P. 5.1; 18 U.S.C. §3161
20 (h)(8)(A). The failure to grant the requested continuance would deny counsel reasonable time
21 necessary for effective preparation, taking into account the exercise of due diligence, and would
22 result in a miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B)(iv).

23 SO ORDERED.

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25 DATED: April 12, 2007

